

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

**THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,**

as representative of

**THE COMMONWEALTH OF PUERTO RICO, *et
al.***

Debtors.¹

PROMESA
Title III

Case No. 17 BK 3283-LTS
(Jointly Administered)

In re:

**THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO**

as representative of

**PUERTO RICO ELECTRIC POWER
AUTHORITY,**

Debtor.

PROMESA
Title III

Case No. 17 BK 4780-LTS

**LIMITED JOINDER TO SREAAE'S RESPONSE AND OBJECTION AND
UTIER'S RESERVATION OF RIGHTS**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations.)

TO THE HONORABLE DISTRICT COURT:

COMES NOW Unión de Trabajadores de la Industria Eléctrica y Riego, Inc. (“UTIER”) duly represented by the undersigned counsel and respectfully state as follows:

1. Before addressing the merits, UTIER joins SREAAE in reiterating its urgent request for an extension of the briefing schedule.
2. The Financial Oversight and Management Board for Puerto Rico (“Oversight Board”) filed its *Urgent Motion of Financial Oversight and Management Board for Order (I) Establishing Schedule to Continue Negotiations During Litigation of Gating Issues Pursuant to Litigation Schedule and (II) Granting Related Relief* (“Urgent Motion”) [Docket No. 2956 in Case No. 17-4780] just past midnight on September 17, 2022 when all of Puerto Rico was under a tropical storm warning with the expectation that the storm would become a hurricane. Despite the state of emergency declared by both Governor Pierluisi-Urrutia and President Joseph Biden, this Court established a rushed briefing schedule where UTIER would have until September 19, 2022, at 9:00 a.m. to file a response. See *Order Scheduling Briefing and Hearing Concerning Urgent Motion of Financial Oversight and Management Board for Order (I) Establishing Schedule to Continue Negotiations During Litigation of Gating Issues Pursuant to Litigation Schedule and (II) Granting Related Relief*. [Docket No. 2958].
3. Despite the *Urgent Motion to Hold in Abeyance Urgent Motion of Financial Oversight and Management Board for Order (I) Establishing Schedule to Continue Negotiations During Litigation of Gating Issues Pursuant to Litigation Schedule and (II) Granting Related Relief and Reservation of Rights*, [Docket No. 2961], this remains the case.
4. Additionally, on this date, the *Sistema de Retiro de Empleados de la Autoridad de Energía Eléctrica* (“SREAAE”) filed the *Response and Objection of SREAAE to Urgent Motion of*

Financial Oversight and Management Board for Order (I) Establishing Schedule to Continue Negotiations During Litigation of Gating Issues Pursuant to Litigation Schedule and (II) Granting Related Relief (“SREAAE’s Response and Objection”). [Docket No. 2983]

5. As Hurricane Fiona’s heavy rains and winds had already shut down most of Puerto Rico before it became a hurricane, the undersigned were unable to communicate with their clients until the hours of this morning, only reaching **some** members of UTIER. Fiona became a hurricane as it crossed Puerto Rico last night and the aftereffects are ongoing.
6. UTIER is not an individual. Its Executive Council includes people who are in all areas of Puerto Rico, including some of the most devastated rural areas. The task of reaching them has been nearly impossible and forced the undersigned counsel to put aside their personal struggles and their sense of basic moral duties to reach out to people who may be suffering loss or dealing with grave damage, all for the sake of appearing on the issue of an itinerary. The haphazard way these proceedings have developed while Puerto Rico is in the midst of crisis is unconscionable and prevented UTIER from complying with this Court order regarding the briefing schedule.
7. Regarding the merits, UTIER is not currently one of the parties affected by the Board's litigation plan, as it does not currently have an active adversary proceeding related to this matter. Nonetheless, since UTIER's constituency includes participants of the retirement system, it hereby joins SREAAE’s Response and Objection regarding the itinerary and makes a reservation of rights should this situation change or should UTIER determine to intervene in any of the active litigations.

WE HEREBY CERTIFY that on this same date we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all

participants and Standard Parties. A courtesy copy of this Motion will be delivered to the Court by email to SwainDPRCorresp@nysd.uscourts.gov as provided in *First Amended Standing Order*.

In Ponce, Puerto Rico, this 19th day of September 2022.



BUFETE EMMANUELLI, C.S.P.
P.O. Box 10779
Ponce, Puerto Rico 00732
Tel.: 787-848-0666
Fax: 1-787-841-1435

/s/Rolando Emmanuelli-Jiménez
Rolando Emmanuelli-Jiménez, Esq.
USDC: 214105
rolando@emmanuelli.law

/s/Jessica E. Méndez-Colberg
Jessica E. Méndez-Colberg, Esq.
USDC: 302108
jessica@emmanuelli.law

/s/ Zoé C. Negrón-Comas
Zoé C. Negrón-Comas, Esq.
USDC: 308702
zoe@emmanuelli.law

Counsel to UTIER